

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	CASE NO. 1:09CR506
)	
Plaintiff,)	JUDGE KATHLEEN M. O'MALLEY
)	
v.)	
)	
THOMAS J. GRECO, JR.,)	
)	
Defendant.)	<u>AGREEMENT AND ORDER</u>

THIS AGREEMENT is entered into by and between the following parties: the United States of America, defendant Thomas J. Greco, Jr., Carmela Greco (the wife of defendant Greco), and the Chicago Title Insurance Co. The parties hereby agree as follows:

1. By the Preliminary Order of Forfeiture [Dkt. No. 120], the following property was initially forfeited to the United States under 21 U.S.C. § 853(p): the real property located at 16423 Academy Drive, Strongsville, Cuyahoga County, Ohio (Assessor's Parcel Number: 393-30-139); more particularly: \$110,000.00 realized from the sale/"buy back" of the property.

2. On July 16, 2010, the United States recorded/filed a lis pendens against the subject property in the official records of the Recorder's Office, Cuyahoga County, Ohio.

3. Defendant Thomas J. Greco, Jr., and Carmela Greco have entered into an agreement to sell the subject property. The sale price is \$235,000.00. With respect to the sale, the Chicago Title Insurance Co. is the closing agent. Thomas J. Greco, Jr., and Carmela Greco are hereby authorized to execute and deliver to the buyers a properly executed deed for the subject property upon tender of the purchase price to the Chicago Title Insurance Co.

4. At the closing of the sale of the subject property, the Chicago Title Insurance Co. shall deliver \$110,000.00 of the net proceeds to the undersigned counsel for the United States. A certified check in the amount of \$110,000.00 shall be made payable to the "United States Department of Justice".

5. The undersigned counsel for the United States shall forward the certified check to the Federal Bureau of Investigation (FBI)/United States Marshals Service (USMS).

6. Contemporaneous with the receipt by the United States of the \$110,000.00 certified check, the United States will deliver to the Chicago Title Insurance Co. a document to be filed with the Cuyahoga County Recorder's Office; namely: an appropriate release for the following: Notice of Lis Pendens recorded on July 16, 2010; AFN 201007160106. At that time, all claims of the United States against the subject property by reason of the Notice of Lis Pendens are released and extinguished.

7. The parties to the instant Agreement shall bear their own costs and attorney's fees.

Defendant Thomas J. Greco, Jr.

Jeffrey F. Kelleher
Attorney for Defendant Greco
526 Superior Avenue
Suite 1540
Cleveland, Ohio 44114
(216) 241-0520
Fax: (216) 241-6961
jfkelleher@route61.com

Carmela Greco

Eric H. Holder, Jr.
Attorney General of the United States

Barbara L. McQuade
United States Attorney
Eastern District of Michigan

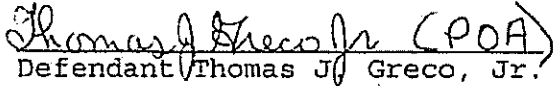
James L. Morford
Assistant U.S. Attorney
Reg. No. 0005657
400 United States Court House
801 West Superior Avenue
Cleveland, Ohio 44113
(216) 622-3743
Fax: (216) 522-7499
James.Morford@usdoj.gov

Bonny McDaniel
Chicago Title Insurance Co.

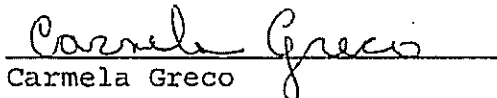
IT IS SO ORDERED. As set forth in paragraph 6, above, the United States will deliver a Release of Lis Pendens to the Chicago Title Insurance Co. contemporaneous with its receipt of the \$110,000.00 certified check.


Kathleen M. O'Malley
United States District Judge

7. The parties to the instant Agreement shall bear their own costs and attorney's fees.


Defendant Thomas J. Greco, Jr.


Jeffrey F. Kelleher
Attorney for Defendant Greco
526 Superior Avenue
Suite 1540
Cleveland, Ohio 44114
(216) 241-0520
Fax: (216) 241-6961
jfkelleher@route61.com


Carmela Greco

Eric H. Holder, Jr.
Attorney General of the United States

Barbara L. McQuade
United States Attorney
Eastern District of Michigan

James L. Morford
Assistant U.S. Attorney
Reg. No. 0005657
400 United States Court House
801 West Superior Avenue
Cleveland, Ohio 44113
(216) 622-3743
Fax: (216) 522-7499
James.Morford@usdoj.gov

Bonny McDaniel
Chicago Title Insurance Co.

IT IS SO ORDERED. As set forth in paragraph 6, above, the United States will deliver a Release of Lis Pendens to the Chicago Title Insurance Co. contemporaneous with its receipt of the \$110,000.00 certified check.

Kathleen M. O'Malley
United States District Judge

7. The parties to the instant Agreement shall bear their own costs and attorney's fees.

Defendant Thomas J. Greco, Jr.

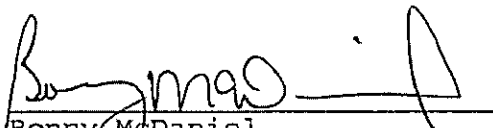
Jeffrey F. Kelleher
Attorney for Defendant Greco
526 Superior Avenue
Suite 1540
Cleveland, Ohio 44114
(216) 241-0520
Fax: (216) 241-6961
jfkelleher@route61.com

Carmela Greco

Eric H. Holder, Jr.
Attorney General of the United States

Barbara L. McQuade
United States Attorney
Eastern District of Michigan

James L. Morford
Assistant U.S. Attorney
Reg. No. 0005657
400 United States Court House
801 West Superior Avenue
Cleveland, Ohio 44113
(216) 622-3743
Fax: (216) 522-7499
James.Morford@usdoj.gov



Bonny McDaniel
Chicago Title Insurance Co.

IT IS SO ORDERED. As set forth in paragraph 6, above, the United States will deliver a Release of Lis Pendens to the Chicago Title Insurance Co. contemporaneous with its receipt of the \$110,000.00 certified check.

Kathleen M. O'Malley
United States District Judge